IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 25TH JANUARY 2007 / 5TH MAGHA 1928

WP(C).No. 868 of 2007(C)

PETITIONER:

K.K.SURENDRAN, KOLOMKUZHIYIL HOUSE,
CHEROOPA P.O., KOZHIKODE, WORKING AS PEON.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS:

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1. **THE REGIONAL JOINT LABOUR COMMISSIONER,**
   KOZHIKODE.

2. **THE SENIOR ADMINISTRATIVE OFFICER,**
   OFFICE OF THE LABOUR COMMISSIONER,
   KOZHIKODE.

3. **THE ASSISTANT LABOUR OFFICER,**
   IIND CIRCLE, KOZHIKODE.

4. **K.SURENDRAN, PEON,**
   DISTRICT LABOUR OFFICE, KOZHIKODE.

BY GOVT. PLEADER SHRI.BIJOY CHANDRAN, FOR R1 TO 3.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

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WP(C).No.868 OF 2007-C.

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Dated this the 25th day of January, 2007.

J U D G M E N T

The petitioner is now working as Peon in the Office of the Assistant Labour Officer, IInd Circle, Kozhikode. Respondent No.4 is working as Peon in the District Labour Office, Kozhikode. Ext.P2 order was passed by the 2nd respondent transferring the petitioner and the 4th respondent mutually. These orders are under challenge. Ordinarily, the petitioner cannot have any grievance against an order in the nature of Ext.P2 because, the transfer is from one office to another in the same department and in the same station. The transfer does not involve any inconvenience or hardship to the petitioner. It is, however, submitted that he is a handicapped person, that the workload in the District Labour Office is heavy when compared to the workload in the office of the Assistant Labour Officer and therefore, he may not be transferred to District Labour Office, Kozhikode.

2. Government Pleader, on instructions, submits that the 4th respondent also is a handicapped person and that, merely on the basis of a complaint relating to the workload, request for transfers and postings cannot be

allowed.

3. I find substance in the above submission made by the Government Pleader. The petitioner and the 4th respondent are bound to discharge the duties attached to the post of Peon and they cannot be heard to say that they shall be posted in an office where the workload is less.

The writ petition is devoid of merit. It is accordingly dismissed.

K.K.DENESAN, JUDGE.

kvs/-